

### **REMARKS/ARGUMENTS**

The Claims in this application are 65-71, corresponding to Claims 7, 9, 11, 12, 14, 15 and 24, respectively. The newly added claims do not present any new matter.

The Examiner had indicated in the Office Action dated March 9, 2006 that the specification lacked compliance with the sequence rules. Applicants enclose a substitute copy of the sequence listing pages as well as correction to the specification, together with the appropriate diskette and statement to support filing and submission of the same. The foregoing amendments are made to insert the required SEQ ID NO identifiers associated with various listed sequences.

#### **Rejection of the Claims under 35 U.S.C. 112, first and second paragraphs**

The Examiner has rejected the Claims, under 35 U.S.C. 112, first and second paragraphs. The newly added claims avoid the problems raised by this rejection. Reconsideration and withdrawal of the rejection in view of the amendments is respectfully requested.

#### **Claim rejections - 35 U.S.C. 102**

The claims had been rejected under 35 U.S.C. 102 over Wang, et al., Biochemical and Biophysical Research Communications. Vol. 190, No. 2 (1993) pp. 406-411, XP002293144; Simmons, et al., US2003/0220306 A1; Blumenfeld al., US 6,432,648; and Wang, et al., Biochemical and Biophysical Research Communications. Vol. 190, No. 2 (1993) pp. 406-411, XP002293144. The Examiner states [t]hese references disclose a polynucleotide that is at least 80% identical with SEQ ID NO 3. (Office action, page 12).

Applicants are of the opinion that the rejection under 35 U.S.C. 102 is avoided by the newly added claims and that the rejection should be reconsidered and withdrawn.



**PETITION FOR EXTENSION OF TIME**

**AND AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT THEREFOR**

Applicants petition the Commissioner of Patents and Trademarks to extend the time for response to the Office Action dated March 9, 2006 for one (1) month from June 9, to July 10, 2006.

Please charge Deposit Account No. 10-0750/PRD2041/HJP in the name of Johnson & Johnson for the cost of filing this Petition. Should any additional fees be necessary in connection with the filing of this paper, the Commissioner is hereby authorized to charge Deposit Account No 10-0750/PRD2041/HJP for any such fees.

Should the Examiner feel discussion of any of the points raised in this response would be valuable, he is invited to telephone the undersigned attorney.

Respectfully submitted,

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Date: June 28, 2006

Enclosures: Substitute pages of sequence, sequence diskette; Statement to support filing and submission of new sequence information

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